

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

804T0672

HOUSE BILL NO. 1246

Introduced by: Representatives Feinstein, Blake, Haggar, Hawley, Hickey, Iron Cloud III, Jensen, Jones, Lucas, Magstadt, Sly, Steele, and Stricherz and Senators Buhl and Schlekeway

1 FOR AN ACT ENTITLED, An Act to prohibit the use of bisphenol A in certain products.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. Terms used in this Act mean:

4 (1) "Baby food," a prepared solid food consisting of a soft paste or an easily chewed food
5 that is intended for consumption by children two years of age or younger and that is
6 commercially available;

7 (2) "Infant formula," a milk-based or soy-based powder, concentrated liquid, or ready-to-
8 feed substitute for human breast milk that is intended for infant consumption and that
9 if commercially available; and

10 (3) "Reusable food or beverage container," a receptacle for storing food or beverages,
11 including baby bottles and spill-proof cups. The term does not include food or
12 beverage containers intended for disposal after initial usage.

13 Section 2. Beginning July 1, 2013, no person or entity may sell, offer for sale, or distribute
14 in commerce in this state any reusable food or beverage container that contains bisphenol A.



1 Section 3. Beginning July 1,2013, no person or entity may sell, offer for sale, or distribute
2 in commerce in this state any infant formula or baby food stored in a plastic container, can, or
3 jar that contains bisphenol A.

4 Section 4. Any food packaging that contains bisphenol A shall display a label on the front
5 of the package stating, "This package contains bisphenol A."